

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
DOCKET NO: 3:15-CR-00212-MOC-DSC**

**UNITED STATES OF AMERICA,**

**vs.**

**JONATHAN FERNANDEZ, et al.,**

Defendants.

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**ORDER**

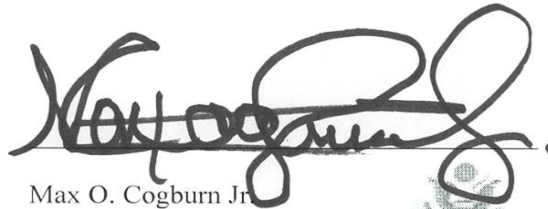
**THIS MATTER** comes before the Court a pro se movant's Motion for Restitution. See Doc. No. 83. Defendants in this case were charged with conspiring to participate in a fraudulent telemarketing sweepstakes scheme to obtain money and property from various victims. See Doc. No. 3. Some of the defendants have been convicted and sentenced, and the Court has ordered those defendants to pay restitution to the identified victims of the scheme. See, e.g., Doc. No. 69.

The pro se movant is not an identified victim. See Doc. No. 69-1, 78. Nor does she purport to be a victim from the telemarketing scheme. Rather, she seeks restitution because "surrounding communities" have subjected her to a "smear campaign" and she is "monitored day and night by a Gaston County Spectrum Van." Doc. No. 83 at 5. These allegations are entirely unrelated to Defendants and to the fraudulent scheme, and thus do not provide a basis to order restitution. See In re Brown, 932 F.3d 162, 172 (4th Cir. 2019) (recognizing "federal courts do not have the inherent authority to order restitution, but must rely on a statutory source to do so").

**ORDER**

**IT IS, THEREFORE, ORDERED** that the pro se movant's Motion for Restitution, Doc. No. 83, is **DENIED**.

Signed: April 2, 2020

A handwritten signature in black ink, appearing to read "Max O. Cogburn Jr.", written over a horizontal line.

Max O. Cogburn Jr.  
United States District Judge

